

1 NICHOLAS S. CHRISOS, COUNTY COUNSEL  
2 and MARK BATARSE, DEPUTY – State Bar No. 260945  
3 333 W. Santa Ana Blvd., Suite 407  
Post Office Box 1379  
Santa Ana, California 92702-1379  
Telephone: 714/834-7018  
Facsimile: 714/834-2359  
Email: mark.batarse@coco.ocgov.com

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6 Attorneys for Creditor, Orange County Treasurer-Tax Collector  
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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SOUTHERN DIVISION**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 NAGESH SHETTY, as an individual and  
as trustee of the Shetty Family Trust;  
15 ANITA SHETTY as an individual and as  
trustee of the Shetty Family Trust;  
16 RICHARD D'SOUZA, a.k.a. RICHARD  
D'SOUSA or RICHARD DE SOUZA;  
17 MARIE SHETTY as successor to the  
estate of SUBBAYYA SHETTY;  
18 MAHABALA SHETTY; OCWEN  
FINANCIAL CORPORATION;  
19 DAVID M. DUDLEY; MESA VERDE  
DRIVE PLAZA, a California General  
Partnership; STATE OF CALIFORNIA,  
through its agency THE FRANCHISE  
21 TAX BOARD; ORANGE COUNTY  
TREASURER-TAX COLLECTOR;  
22 UNITED MERCHANTS ASSOCIATION,  
a California Corporation; MIDFIRST  
BANK; NCO PORTFOLIO  
MANAGEMENT; CITIMORTGAGE,  
INC.; and CAPITAL ONE,

25 Defendants.

} Case No. SACV12-930 DOC (MLGx)

**DEFENDANT ORANGE COUNTY  
TREASURER-TAX COLLECTOR'S  
INITIAL DISCLOSURES**

Action Filed: June 11, 2012

**ORANGE COUNTY TREASURER-TAX COLLECTOR'S INITIAL  
DISCLOSURES PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE  
RULE 26(a)(1).**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant, Orange County Treasurer-Tax Collector (“County”) hereby discloses the following:

## **I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION**

County believes that the following persons are likely to have discoverable information that County may use to support its claims or defenses:

1. Jennifer Burkhart  
Office of the Orange County Tax Collector  
12 Civic Center Plaza  
P.O. Box 1438  
Santa Ana, CA 92702  
(714) 834-3411

Ms. Burkhart is the Assistant Treasurer-Tax Collector. This individual can provide information and documentation as to the tax liability related to the subject properties and can verify the authenticity of County's records.

2. Renee Ramirez  
Office of the Orange County Clerk Recorder  
12 Civic Center Plaza  
Santa Ana, CA 92701  
(714) 834-2500

Ms. Ramirez is the Assistant Clerk-Recorder and the designated Custodian of Records for the Orange County Clerk-Recorder's office. She can provide information and documentation as to recorded documents relating to real property, including the properties that are the subject of this proceeding.

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1                   **II. A COPY-OR A DESCRIPTION BY CATEGORY AND LOCATION-**  
2                   **OF ALL DOCUMENTS, ELECTRONICALLY STORED**  
3                   **INFORMATION, AND TANGIBLE THINGS**

4                   The County maintains an electronic data base known as the Assessment Tax  
5                   System or ATS that includes, among other things, information about the taxes assessed,  
6                   payment of taxes including the payor, the amount paid, the date paid, and the property  
7                   relating to the payment as well as copies of all tax bills and the assessment information  
8                   used to generate tax bills.

9                   The Orange County Clerk-Recorder maintains an electronic data base containing  
10                  copies of recorded property documents since 1982.

11                  County reserves the right to supplement the documents as more information  
12                  becomes available through the discovery process. County does not waive the right to  
13                  object to discovery requests to which any document or category of documents may be  
14                  responsive. County also reserves the right to object to the production or admissibility of  
15                  particular documents on the basis of attorney-client privilege, work product privilege,  
16                  relevance, or any other ground permitted under Federal Rule of Civil Procedure 26 or  
17                  the local rules.

18                   **III. A COMPUTATION OF EACH CATEGORY OF DAMAGES**  
19                   **CLAIMED BY THE DISCLOSING PARTY:**

20                  The remaining ad valorem property tax liability for fiscal year 2012-1013 consists  
21                  of \$5,714.16 as of January 29, 2013. Pursuant to California Revenue and Taxation Code  
22                  Section 2192, an additional ad valorem property tax lien, in an amount yet to be  
23                  determined, has attached to the subject properties for the fiscal year 2013-2014 as of  
24                  January 1, 2013. Lien priority is determined pursuant to Section 2192.1. The unsecured  
25                  property tax consists of \$732.16 as of October 31, 2012.

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1           **IV. ANY INSURANCE AGREEMENT UNDER WHICH AN**  
2           **INSURANCE BUSINESS MAY BE LIABLE TO SATISFY ALL OR**  
3           **PART OF A POSSIBLE JUDGMENT IN THE ACTION OR TO**  
4           **INDEMNIFY OR REIMBURSE FOR PAYMENTS MADE TO**  
5           **SATISFY THE JUDGMENT:**

6           Not applicable.

7           DATED: January 29, 2013

8           Respectfully Submitted,

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10           NICHOLAS S. CHRISOS, COUNTY COUNSEL

11           and MARK BATARSE, DEPUTY

12           By /s/ Mark Batarse

13           Mark Batarse, Deputy

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15           Attorneys for Defendant Orange County Treasurer-

16           Tax Collector



1 Boyd Denfeld Hudson  
2 Adams Hawekotte & Hudson  
3 201 S Lake Ave  
4 Ste 606  
5 Pasadena, CA 91101-3081  
Representing Richard D'Souza /  
Richard DeSouza

6 Jennifer J Maas  
7 Wolfe and Wyman LLP  
8 2301 Dupont Drive Suite 300  
Irvine, CA 92612-7531  
9 949-475-9200  
Fax: 949-475-9203  
10 Email: [jjmaas@wolfewyman.com](mailto:jjmaas@wolfewyman.com)  
Representing CitiMortgage, Inc.

12 Sara Firoozeh  
13 Houser and Allison APc  
14 9970 Research Drive  
Irvine, CA 92691  
15 949-679-1111  
Fax: 949-679-1112  
16 Email: [SFiroozeh@houser-law.com](mailto:SFiroozeh@houser-law.com)  
17 Representing U.S. Bank

18 David Dudley  
19 3415 S. Sepulveda Blvd., Suite 320  
20 Los Angeles, CA 90034

22 I declare that I am employed in the office of a member of the Bar of this Court at  
23 whose direction the service was made.

24 Executed in Santa Ana, California this 29th day of January, 2013.

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26 \_\_\_\_\_  
27 Kayla Martin  
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